



**REGULAR MEETING
MINUTES
Wednesday, October 23, 2013
Art Pick Council Chambers
3900 Main Street, Riverside, CA**

CASE REVIEW – 4:00 PM

Case Review Roll Call

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	Maciel	Adams
✓	Late	✓	✓	✓	✓	✓	O	V

✓ = Present **B** = Absent / Business **S** = Absent / Sick **V** = Absent / Vacation **O** = Absent / Other
UE = Absent / Unexcused **L** = Late **LE** = Left Early ■ = Vacant

STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comment

This is an opportunity for members of the public to address the Commission on closed session items.

Mr. Ray Nichols addressed the Commission regarding his case.

Closed Session – Case Review

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:45 PM to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

	CPRC CASE NO.	RPD CASE NO.
1)	12-029	PC-12-12042
2)	12-030	PC-12-12044
3)	13-004	PC-13-03013
4)	13-012	PC-13-04020
5)	13-029	PC-13-07045

The Commission recessed at 5:30 PM to reconvene in the Regular Meeting.

REGULAR MEETING – 5:30 PM

Audio for the following proceedings is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

PLEDGE OF ALLEGIANCE

Regular Meeting Roll Call

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	Maciel	Adams
✓	✓	✓	✓	✓	✓	✓	O	V

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STAFF: Frank Hauptmann, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

Public comment on any subject matter within the Commission's jurisdiction.

Mary Shelton said she is creating a Wikipedia page on the Riverside Police Department with the CPRC included in a portion of it. She mentioned her concerns about policy recommendations regarding the Ledezma case. She also said that the Dunbar case raised issues concerning audio recordings as none of the officers had activated their recorders, noting that it was one of the issues brought up by the Mayor's Use of Force Panel (1999).

John Brandriff said he had begun reviewing the Ledezma casebook. He said he knew that concerns had been voiced that there was no tox report included and felt it was important to learn why certain things are included in one case, but excluded in another. He also said that although one officer said he had turned on his audio recorder, neither the audio or a transcript of that audio was included in the casebook, noting that it was important for commissioners to have the actual audio rather than the transcript alone.

Approval of Minutes

Minutes for Approval	Motion	Second	Approve	Oppose	Abstain
A) September Regular Meeting	Rotker	Taylor	Rotker, Hawkins, Ybarra, Taylor, Ortiz, Jackson	0	Roberts

RPD Briefing

Preliminary briefing on the officer-involved death of Hector Jimenez on September 13, 2013.

Asst. Chief Chris Vicino briefed the Commission on the Jimenez incident. (The audio, along with the slide show presentations, is available on the CPRC website.)

After the incident briefing, Asst. Chief Vicino commented on topics about which commissioners frequently asked as well as questions that had been asked by community members:

- The number of rounds fired by the four officers: 8, 3, and 4; 4 from a less-lethal shotgun.
- All weapons were discharged at the same time.
- Do not know how many rounds struck Mr. Jimenez.
- A mental health clinician was not dispatched to assist officers because the person in that position

- resigned approximately eight months ago and Riverside County has not yet filled that position.
- Riverside Police Department does not have the budget to pay for its own mental health clinicians.
- While situations of this sort appear to be incidents that could be easily handled by calling mental health personnel, they are not.
- While community members claimed that the officers were standing outside the fence line, there were six officers surrounding Mr. Jimenez so he couldn't get back in house which is inside the fence line.

Commissioner Taylor:

- Said that other options should be explored regarding the mentally ill;
- asked why the standard and less-lethal weapons were fired at the same time.

Assistant Chief Vicino:

- said that the bean bag less-lethal shotgun is always deployed with a standard weapon officer providing cover.
- said that, based on information obtained from officer interviews, the officer with the less-lethal weapon had only that weapon so he fired what he had.
- Said that he had asked the use of force experts at RPD if the officers would have been remiss to fire the bean bags at Mr. Jimenez while he was seated, but with a knife in his hands.
- Said he would be meeting with the Use of Force Task Force to explore other options for officers.

Chairwoman Roberts thanked Asst. Chief Vicino for the briefing and called for public comments.

Mary Shelton said that the public learns the police context of a decedent, but they learn nothing about the officers because of POBOR (Police Officers Bill of Rights). She noted that in the small, cramped yard, most of the rounds that were fired must have hit the decedent. She said she had questions on mental health training and less lethal options. She also noted that people said the officers were allowed to leave the scene in their cars and that she would check the policy to determine if they can do that or if they are supposed to be escorted to Magnolia Station. She said she was interested in racial sensitivity training, especially for officers who are assigned to the Eastside and how they feel about the area prior to the assignment.

Paul Chavez expressed several concerns. He said that the dispatched officers knew they would be dealing with someone who was mentally disturbed. He noted that Mr. Jimenez had had other confrontations with officers, but that there had never been any problems before. He said that officers should be aware of premise history. He said there were a lot of holes in the building behind the decedent and asked if the officers were trying to stop Mr. Jimenez or kill him. He also said the officers could have used less lethal, although there was one less-lethal weapon that was used. He ended by asking if this was becoming a racial issue.

Christina Duran said she received calls and had discussions with many Eastside neighbors. She said she has worked for a long time to get a crisis response team created and that it is now being realized and that Lt. Flores is assisting with that. She said that a meeting will be scheduled in the near future. She noted that one neighbor said the decedent had cut himself and she questioned why the officers didn't de-escalate. She said that she doesn't want to see another similar situation.

Linda Dunn said that she had two comments and three questions.

- When did the officer who turned on his recorder begin speaking to Mr. Jimenez?
- What was that audio start time and when was the first shot fired?
- Who was in grave danger from the knife?

She expressed concern that the less-lethal weapon was shot at the same time as the guns, noting that she was glad to hear about RPD pursuing the use of less-lethal weapons and observing the subject prior to the use of lethal weapons. She was also concerned about the length of time between first contact and the first shot and asked that other cases be researched in that regard.

Outreach

A) October Outreach

Commissioner Ybarra:

- September 27: RPOA Charity Golf Classic
- October 7 – 9: AELE Lethal / Less-Lethal Seminar
- October 12: Hometown Heroes Honor Run
- Red Cross event at White Park
- October 21: Dr. Thompson's Community Relations class

Commissioner Hawkins:

- September 27: RPOA Charity Golf Classic
- October 7 – 9: AELE Lethal / Less-Lethal Seminar
- October 19: Riverside Neighborhood Conference
- October 21: Dr. Thompson's Community Relations class

Commissioner Taylor:

- September 27: RPOA Charity Golf Classic
- October 12: Hometown Heroes Honor Run
- October 21: Dr. Thompson's Community Relations class
- October 24: Will complete Riverside Leadership Academy

Commissioner Rotker:

- October 7 – 9: AELE Lethal / Less-Lethal Seminar

Vice-Chair Jackson:

- September 18: Police Motorcycle Rodeo
- September 22 – 26: NACOLE Conference, Salt Lake City
- October 7 – 9: AELE Lethal / Less-Lethal Seminar
- October 10: Site tour of the Convention Center for the NACOLE Conference RFP preparation
- October 12: Hometown Heroes Honor Run
- October 19: Riverside Neighborhood Conference
- October 21: Dr. Thompson's Community Relations class

Commissioner Ortiz:

- October 10: Long Night of Arts and Innovation
- October 19: Riverside Neighborhood Conference

Mr. Hauptmann:

- October 19: Riverside Neighborhood Conference
- October 21: Dr. Thompson's Community Relations class

Ms. Sherron:

- September 22 – 26: NACOLE Conference, Salt Lake City
- October 10: Site tour of the Convention Center for the NACOLE Conference RFP preparation
- October 12: Hometown Heroes Honor Run
- October 19: Riverside Neighborhood Conference
- October 21: Dr. Thompson's Community Relations class

Chairwoman Roberts:

- September 7: Golden Badge Awards
- September 9: NACOLE final financial review
- September 22 – 26: NACOLE Conference, Salt Lake City
- September 25: NACOLE Financial Review presented to NACOLE Board of Directors
- October 10: Site tour of the Convention Center for the NACOLE Conference RFP preparation

- October 12: Hometown Heroes Honor Run
- October 19: Riverside Neighborhood Conference
- October 20: Attended 2nd Annual Riverside Triathlon

B) Upcoming Outreach Events

- 1) Mayor's Night Out: November 13 at 6:30 PM, Renck Community Center at Hunt Park
Discussion and action, if any, regarding this event's conflict with the CPRC November Regular Meeting and whether or not one commissioner should attend so there is CPRC representation.

Commissioner Rotker:

- said he felt it was important that the Commission be represented at the Mayor's Night Out function.
- said he hoped that conflicts of this type could be resolved.
- noted that he had volunteered quite a while ago as the event is in his ward.
- felt that it was important for residents of his ward to learn more about the Commission and that he would like to represent the Commission by attending the event.
- said he would be present for closed session meeting after which he would go to Hunt Park for the event.
- believed this would be a good outreach opportunity for the Commission.

Chairwoman Roberts:

- said that, as long as there was a quorum for the regular meeting, she didn't see problem with one or two commissioners attending the Mayor's Night Out event.
- noted that if a commissioner wanted to attend the event but the absence created the lack of a quorum, then the one or two interested commissioners should not attend the event.

Commissioner Rotker:

- said that if, on that day, he realizes there would be no quorum due to his absence, he would stay for the CPRC meeting.

Chairwoman Roberts:

- said that if a second commissioner would like to attend, to please let Ms. Sherron know of their interest.

C) Future Outreach Opportunities

- 1) Black History Parade and Expo – February 8, 2014 at 10 AM
- 2) Input from Outreach Coordinator on upcoming outreach events
- 3) Input from Commission Members on potential outreach events

Chairwoman Roberts:

- asked if anyone would be interested in staffing a table for the Black History Parade and Expo

Ms. Sherron:

- said that this had been agendized as a "heads' up" to let commissioners know that this was a potential outreach event because the suggestion for CPRC involvement in the 2013 event had been mentioned too late.
- added that if, at the next meeting, there was Commission interest in the event, she would work on getting the exhibitor application.

Commissioner Taylor:

- added the Mission Inn Run, which will take place on November 10.
- said that he has a registered team and invited commissioners to join.

Chairwoman Roberts:

- again asked if anyone would be interested in staffing a table for the Black History Parade and Expo.
- asked that any interested commissioners let Ms. Sherron know so she can proceed with registration for the event.

Vice-Chair Jackson:

- said she would be willing to staff a table.
- asked that the same be done for the Lunar Festival in January.

Bill Howe invited commissioners to attend the annual Veterans Luncheon on Veterans Day. He said it is a good outreach opportunity and that it would be nice to see some of the commissioners attend if they have no other plans.

OLD BUSINESS

Ledezma Officer-Involved Death (OID) Case Evaluation

Continue discussion and action, if any, on the Ledezma OID case evaluation. The Commission will continue its evaluation in Stage IV (Deliberation and Finding Process) and Stage V (Recommendation Process). The Commission may return to discussion of completed Stages, if needed.

Mr. Hauptmann:

- said that commissioners felt it would be helpful for CPRC Investigator Mike Bumcrot to be present to answer any questions they might have.

Mr. Bumcrot:

- advised that he had recently been served with a subpoena for this case.
- noted that it might not be too wise to discuss the case in too much detail as commissioners could be called as witnesses.
- said he would be happy to answer any questions commissioners might have regarding the reports he submitted to the Commission.

Vice-Chair Jackson:

- said she was one of the commissioners who asked that Mr. Bumcrot be present.
- noted that the Ledezma family had turned over a PVC pipe to Mr. Bumcrot and asked if he could comment on how that happened.

Mr. Bumcrot:

- said he was contacted by the Ledezma family, who was less than cooperative with the police investigation.
- said that family members spoke freely with him and told him that the PVC pipe was the pipe that was thrown at the officers.
- said that he told them that neighbors had seen Mr. Ledezma throw a pipe and that it had clanged like metal.
- noted that the family gave him the PVC pipe, which he turned in to RPD.
- said that the PVC pipe was booked into evidence as found property.

Vice-Chair Jackson:

- asked Mr. Bumcrot if he felt that it wasn't the pipe because of the neighbors' statements.

Mr. Bumcrot:

- replied that it was because of the neighbors' statements and the statements of the officers who were on-scene.

Chairwoman Roberts:

- asked if commissioners had any other questions.
- thanked Mr. Bumcrot for coming to the meeting.

Mr. Hauptmann:

- pointed out that commissioners might want to ask questions of Mr. Bumcrot regarding the Dunbar OID.
- said that Mr. Bumcrot could either wait until the Commission moved on to that item or that questions to Mr. Bumcrot could be taken out of order.

Chairwoman Roberts:

- said there was a member of the public who wished to speak on the Ledezma OID.
- asked the citizen if he wished to speak before or after Commission discussion, to which he responded "After."
- then advised Mr. Bumcrot that questions for him regarding the Dunbar OID would be done out of order.

Dunbar Officer-Involved Death (OID) Case Evaluation

Continue discussion and action, if any, on the Dunbar OID case evaluation. The Commission is continuing its evaluation in Stage I (Commission Member Review) and Stage II (Fact Finding, Request for Training & Investigation) and may begin Stage III (Policy and Procedure Process). The Commission may return to discussion of completed Stages, if needed.

Mr. Bumcrot:

- recapped the nature of the case, noting that:
 - the incident began with a car stop that resulted in a foot pursuit.
 - The pursuing officer saw a gun in the suspect's hand and heard it hit the block fence when the suspect climbed over it.
 - the officer didn't go over the fence in the same place that the suspect did, but went several feet north before climbing the fence himself.
 - When the officer was able to see over the fence, the suspect appeared to be in a position of attack toward the area of the fence where the suspect had climbed over.
 - The officer fired his weapon and struck the suspect.
 - When the suspect fell, the officer ordered him not to move and to remain on the ground.
 - The suspect reached for his gun and more shots were fired.
 - The officer stayed on the fence until other officers were able to access the yard from the front and secure the scene.

Vice-Chair Jackson:

- asked Mr. Bumcrot if there was any training that he felt might be beneficial to the Commission.
- asked if he had noticed anything that the Commission might need to focus on.

Mr. Bumcrot:

- replied "no" to the questions.
- said that the tactics were good and that he thought that all the officers had responded well.
- said that the suspect's weapon was loaded and ready to go.

Commissioner Taylor:

- asked Mr. Bumcrot if the driver of the car was charged with a crime.

Mr. Bumcrot:

- said that the suspect may have been booked for traffic warrants.

Commissioner Taylor:

- asked Mr. Bumcrot if he had had an opportunity to speak with the driver.

Mr. Bumcrot:

- said he did not.
- advised that he only sees what is on the CPRC website.

Commissioner Taylor:

- said he had wondered if the driver was charged with anything other than the traffic warrants.

Mr. Bumcrot:

- said that the driver said that the suspect had asked him for a ride and that he didn't know that the suspect was carrying a gun.

Chairwoman Roberts:

- said there were no other questions for Mr. Bumcrot.
- thanked Mr. Bumcrot for coming to the meeting and answering questions.
- closed discussion on the Dunbar OID and reopened discussion on Item 9, the Ledezma OID.

Ledezma Officer-Involved Death (OID) Case Evaluation (Reopened)

Continue discussion and action, if any, on the Ledezma OID case evaluation. The Commission will continue its evaluation in Stage IV (Deliberation and Finding Process) and Stage V (Recommendation Process). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts:

- asked commissioners if there was any additional discussion and if they had been able to complete their rationales.
- asked if anyone would like to make a finding.
- suggested that Mr. Hauptmann could now begin drafting the public report.

Commissioner Taylor:

- said there had been a lengthy discussion about his policy recommendation during the September meeting.

Chairwoman Roberts:

- said she had received notes about the discussion from Vice-Chair Jackson who said commissioners had been instructed to further review the recommendation and make any additional suggestions or other recommendations prior to the next meeting.

Vice-Chair Jackson:

- said that commissioners had been tasked with reviewing Commissioner Taylor's policy recommendations.
- asked staff if any comments had been received.

Ms. Sherron:

- shook her head "no."

Vice-Chair Jackson:

- said that Commissioners Adams and Ortiz had made comments about policy recommendations concerning the use of less-lethal weapons.

Chairwoman Roberts:

- said she had reviewed Commissioner Taylor's recommendation.
- wanted to include "monitoring" to part of the last paragraph which says "reviewing and / or revising simple procedures."
- noted that procedures can be revised, but they should also be monitored to make sure they are being followed.

Commissioner Taylor:

- said he agreed with Chairwoman Roberts' suggestion.
- also noted that, in his review of one of the Commission's annual reports, he had noticed that similar recommendations had been made in 2006 as a result of the Brown OID and they had apparently been accepted, but that he had found nothing in RPD's policies to indicate that those recommendations had been implemented.

Mr. Hauptmann:

- said that when the Commission makes a recommendation that is accepted by RPD, a copy of the revised policy should be submitted to the Commission.
- noted that RPD recently agreed to begin sending the Commission any policy revision when it occurs.
- said that RPD isn't required to revise policies because of a Commission recommendation, but that the Commission would be sent any policy that had been revised as a result of its recommendation.
- also noted that when he had started the process for commissioners to write rationales, it had been done to allow them to have notes to help with discussion during the meeting.
- said it also helped him to have their notes and comments when he began drafting the public report.

Commissioner Ortiz:

- said this case will really focus on the policy recommendations stage.
- suggested asking for a survey of best practice regarding other police departments' actions to identify subjects who have mental health issues and how the use of less lethal force can be implemented to reduce incidents where the individual's death occurs.

Chairwoman Roberts:

- asked Mr. Hauptmann if he could research that.

Mr. Hauptmann:

- said he would as long as he knew what he was being asked to do.
- noted that maybe the Commission should make a recommendation that all officers carry Tasers.
- said he could survey other departments to see what kind of less lethal options their officers used.
- said that some of the less lethal devices might not be the type that would be used during a domestic violence call, noting that some types of less lethal weapons could even escalate an incident.

Commissioner Ortiz:

- said that maybe it can be determined the types of incidents in which it would be best to use less lethal and how to go about implementing that.

Chairwoman Roberts:

- asked Mr. Hauptmann to check to see if the 2006 recommendations referred to by Commissioner Taylor had been accepted.

Commissioner Rotker:

- commented that the Commission votes on whether the officer's actions were in or out of policy.
- noted that if the Commission votes that the officer's actions were within policy, that the rationales be submitted after which the Commission would consider policy recommendations for the final report.
- said that he had reviewed Commissioner Taylor's policy recommendation.
- noted that certain words in the policy were in bold, indicating additions, and asked if the word "shall" and a sentence in another section were the only changes being suggested.

Commissioner Taylor:

- said he didn't have a copy of the recommendation at the moment so he couldn't answer the question.
- said he was recommending a change of language in the existing policy because he felt that it doesn't go far enough on what the dispatcher should do in these types of incidents.
- noted that those were two of his recommendations.

Commissioner Rotker:

- asked if there were additional recommendations.
- said he would like to see the actual recommendation by itself without the supporting documentation of the rationale.

Chairwoman Roberts:

- agreed with Commissioner Rotker and asked that the recommendation be put into a separate document.

Commissioner Taylor:

- advised that if there were additional comments, to let him know and he would add them.

Commissioner Rotker:

- said he supported both of the recommendations.

Chairwoman Roberts:

- said she would like language added which addresses how this change would be reviewed and monitored.
- said she felt the Commission was not ready to vote on the finding as two commissioners were absent.

Vice-Chair Jackson:

- said that the Commission was informally asked at the last meeting about making a finding and that it had seemed like they were ready to vote.
- said she believed the officers had acted appropriately
- noted that while she would find it within policy, she still had concerns.
- said that she felt RPD was hampering the officers by not requiring all of them to carry less lethal weapons because some officers don't feel comfortable with them.
- observed that officers won't feel comfortable with them if they aren't trained to use them.
- noted that there are many new items out there and that it doesn't make sense for RPD not to have this option available to officers.
- said that if all officers had other options they were as comfortable with as they are with guns, this incident might not have happened.

Commissioner Taylor:

- asked why officers feel such an urgent need to make contact with the suspect after the suspect is confined to an area.
- noted that if officers have time on their hands, they also have time to back off and determine alternative ways to handle incidents like this rather than rush to make contact with the suspect.

Mr. Hauptmann:

- advised that the rationale supported a finding.
- suggested that the Commission make its finding first and then discuss the policy recommendations.

Chairwoman Roberts:

- said it could be a healthy discussion no matter how it was handled.

Vice-Chair Jackson:

- said that the discussion helps to rationalize the finding.

Chairwoman Roberts:

- said that the officers articulated that they were in imminent danger of being harmed.
- noted that certain things were seen, but other things weren't.
- said that everyone agreed Mr. Ledezma had a knife.
- said that she found that the officers' actions were within policy.
- asked if there was any additional discussion.

- asked Mr. Hauptmann to begin drafting the public report.

Mr. Hauptmann:

- said he would need a finding.

Chairwoman Roberts:

- called for public comments.

John Brandriff said he had hoped someone would address the officer's comment about turning on his audio recorder, but that no one seemed interested in listening to it. He said that there are numerous allegations in the community and that a recording made during the incident might shed some light on what took place. He said that he didn't think the CPRC investigator should be a rubber stamp for the police report and agreed with Commissioner Taylor's question to Mr. Bumcrot about talking to the driver in Dunbar case.

Commissioner Ortiz:

- said he would like to hear more comments before they voted as he thought Commissioner Taylor had more questions.

Chairwoman Roberts:

- said she felt Commissioner Taylor had a question about the officer's recording in this case.
- noted that she had not seen any mention of the recording.
- said they would take a five-minute break and then come back for further discussion.

The Commission took a brief recess at 7:35 PM and reconvened at 7:42 PM.

Chairwoman Roberts:

- said she wanted to continue with the case, but would also like absent commissioners to be able to weigh in on the discussion and vote.
- suggested waiting until the next meeting to proceed.

Commissioner Rotker:

- said he would not be present at the November 13 meeting.

Commissioner Hawkins:

- said he wanted to proceed during this meeting.

Chairwoman Roberts:

- asked for a vote to decide on whether or not to continue at this meeting.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the Commission make its finding on the Ledezma OID at this meeting	Rotker	Hawkins	Rotker, Hawkins, Ybarra, Jackson	Taylor Roberts Ortiz	0

The Commission then moved on to make its finding.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the actions of the involved officers in the Ledezma OID were Within Policy	Hawkins	Rotker	Unanimous	0	0

Chairwoman Roberts:

- asked Commissioner Taylor to prepare his recommendation for submission.
- said she realized that mental health issues were still a concern.
- noted that Mr. Hauptmann would research the activities of other departments in this area.

Dunbar Officer-Involved Death (OID) Case Evaluation (Reopened)

Continue discussion and action, if any, on the Dunbar OID case evaluation. The Commission is continuing its evaluation in Stage I (Commission Member Review) and Stage II (Fact Finding, Request for Training & Investigation) and may begin Stage III (Policy and Procedure Process). The Commission may return to discussion of completed Stages, if needed.

Chairwoman Roberts:

- noted that this item had been briefly discussed when Mr. Bumcrot was present.
- asked if there were requests for any training that Mr. Hauptmann might be able to have available at the next meeting.
- as there were none, she asked that commissioners send any questions they might have in to staff prior to the next meeting.

Commissioner Rotker:

- mentioned the note Vice-Chair Jackson had talked about sending to Lt. Loftus concerning a policy on officers providing first aid.

Mr. Hauptmann:

- said that he believed he had sent something out to commissioners noting that there is no policy that specifically addresses first aid.

NEW BUSINESS

Staff Report

Mr. Hauptmann had nothing to report, but did remind the Commission that work on the NACOLE 2015 RFP was continuing. He said he would do all he could to get the City to provide the same monetary assistance for the 2015 RFP. He also said he appreciated the efforts of those who have worked on the RFP.

Commission Member Comments

Pursuant to Government Code Section 54954.2, Commission members may use this time to make brief announcements or a brief report on their own activities.

There were no Commission Member comments.

Items for Future Commission Consideration

Chairwoman Roberts said she would like to agendaize discussion of the written rationale, its purpose, and how the Commission intends to use it in the future, including the Dunbar case.

Commissioner Rotker asked Chairwoman Roberts to elaborate on the nature of the item as he might not be present at the next meeting.

Chairwoman Roberts said that Mr. Hauptmann had commented on the purpose of the rationales during discussion of the Ledezma case and that he had said the purpose of the rationales was to provide commissioners with a compilation of their thoughts. She said discussion would cover the future use of

rationales and that if Commissioner Rotker was going to be absent from the next meeting, he could let her know his thoughts on the subject so they could be considered. Commissioner Rotker said he wanted to see the agenda item before he decided to do that.

Commissioner Ortiz asked if making the rationales public would be part of the discussion. Chairwoman Roberts said it would be. Commissioner Rotker then asked that, in view of that, the item be agendized for December's meeting instead of November's so that he could be present to participate in the discussion. Chairwoman Roberts said it would be agendized for both the November and December meetings.

Commissioner Ortiz suggested that the Policies, Procedures, and By-Laws Committee discuss this topic and bring its recommendation to the Commission for discussion rather than have the entire Commission discuss it. Chairwoman Roberts said that could be done, but because of the numerous cases pending, the topic needed to be addressed as quickly as possible.

Adjournment

The Commission adjourned at 7:56 PM.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist

10-23-13 Minutes – Oct Regular